

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – May 16, 2013
City Hall, Common Council Committee Room 301-A

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*Excused*)

Members: Henry P. Szymanski (*voting on items 1 - 51*)
Donald Jackson (*voting on items 1 - 51*)
Martin E. Kohler (*voting on items 1 - 51*)
Jose L. Dominguez (*voting on items 1 - 51*)

START TIME: 4:03 p.m.

End Time: 7:43 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	32181 Special Use	Daniel Krall Prospective Buyer Request to occupy the premises as a heavy motor vehicle repair, sales, and outdoor storage facility.	2101 S. 37th St. A/K/A 2107 S. 37th . 8th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	32325 Dimensional Variance	Sean Kiebzak Other Request to allow a fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 6 ft.).	934 S. 5th St. 12th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	--	
3	32182 Special Use	Michael J Patton Lessee Request to occupy the premises as an assembly hall (operated in conjunction with a permitted tavern on site).	3000 S. 13th St. A/K/A 1231 W. Manitoba St. 14th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
4	32208 Dimensional Variance	Mohib Salem Lessee Request to allow wall signs that exceeds the maximum number of signs per facade segment .	1408 N. 27th St. A/K/A 2638 W. Vliet St. 15th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	32188 Dimensional Variance	Kyle Fraser Property Owner Request to construct an attached garage that does not meet the minimum required side setback (required 8 ft. / proposed 2 ft.).	5441 N. 74th St. 2nd Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	--	
6	32177 Dimensional Variance	Hentzou Moncrieffe Joann Moncrieffe; Property Owner Request to allow a fence that exceeds the maximum allowed height (allowed 4ft. / proposed 6ft.) in the front and side yard of the premises.	9622 W. Greenwood Tr. 5th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	32459 Special Use	Racquel Ivory Lessee Request to continue occupying the premises as a day care center for 22 children per shift 2 1/2 to 13 years of age, operating Monday - Friday 6:00 a.m. to midnight.	4404 W. Burleigh St. A/K/A 4408 W. Burleigh St. 1 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use.</p> <p>7. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements.</p> <p>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	32476 Special Use	Boys & Girls Clubs of Greater Milwaukee, Inc. Lessee Request to continue occupying the premises as a community center. Action: Granted 15 yrs. Motion: Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez. Vote: 3 Ayes, 0 Nays, 1 H. Szymanski Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.	3001 N. 41st St. A/K/A 3000 N. Sherman Bl. 7th Dist.
9	32417 Special Use	Walker's Point Center for the Arts Property Owner Request to continue occupying the premises as a specialty school. Action: Granted 10 yrs. Motion: Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez. Vote: 3 Ayes, 0 Nays, 1 H. Szymanski Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant amend the Special Privilege for this property to allow the handicap ramp to continue to occupy the public right-of-way. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	839 S. 5th St. A/K/A 837 S. 5th St. 12th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	32441 Special Use	Armando Sierra Property Owner Request to continue occupying the premises as a religious assembly hall.	1439 W. Lincoln Av. A/K/A 2306 S. 15th St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-3 occupancies and complies with all zoning conditions and building code requirements</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	32452 Dimensional Variance	Nicholas Anton Lessee Request to continue to allow an off-premise sign that does not meet the minimum required distance between off-premise signs (required 200 ft. / proposed 50 ft.).	815 W. National Av. A/K/A 817 W. National Av. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Dimensional Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	32468 Special Use	Rabinder S Khahra Property Owner	1831 W. National Av. 12th Dist.
		Request to continue occupying the premises as a motor vehicle filling station and car wash.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on May 1, 2003. Specifically that the petitioner plant additional shrubs and replace dying shrubs in order to be in compliance with the landscape plan.</p> <p>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>6. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>8. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises.</p> <p>9. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>10. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>12. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	32384 Use Variance	Juan Carlos Gutierrez Lessee Request to continue occupying the premises as a motor vehicle repair facility.	2948 S. 9th St. A/K/A 2954 S. 9th St. 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That the applicant is prohibited from installing alarms or stereos. 6. That no work on or storage of vehicles occurs in the public right-of-way. 7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That all repair work is conducted inside the building. 10. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	32451 Special Use	R Vintage N More, LLC Lessee Request to continue occupying the premises as a second-hand sales facility (this is a new operator).	2653 S. Kinnickinnic Av. A/K/A 2651 S. Kinnickinnic Av. 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business B occupancies and complies with all zoning conditions and building code requirements. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	32371 Special Use	Keith B Dotson Property Owner Request to continue occupying a portion of the premises as a religious assembly hall.	1934 W. North Av. A/K/A 1934 W. North Av. 100 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the first floor windows along the building's W. North Ave. facade remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-3 occupancies and complies with all zoning conditions and building code requirements.</p> <p>7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	32464 Special Use	Running Rebels Community Organization, Inc. Property Owner Request to continue occupying the premises as a community center.	1300 W. Fond Du Lac Av. A/K/A 1300 A W. Fond Du Lac Av. 15th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H.Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-3 occupancies and complies with all zoning conditions and building code requirements. 6. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on March 30, 2016. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	32444 Special Use	Murece Johnson Lessee Request to continue occupying the premises as a group home for 7 occupants.	4234 N. 26th St. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H, Szymanski Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>5. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	32467 Special Use	Dyonna Ferguson Lessee Request to continue occupying the premises as a day care center for 14 children per shift 2 - 12 years of age, operating Monday - Friday 6:00 a.m. to 9:00 p.m (this is a new operator).	7021 W. Medford Av. A/K/A 7017 W. Medford Av. 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to BOZA within 60 days of State issuance of the license. 7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	32474 Special Use	Eric R Brown Lessee Request to continue occupying the premises as a 24 hour day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday.	8713 W. Fond Du Lac Av. A/K/A 8745 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to BOZA within 60 days of Board approval of the special use. 7. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day. 8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	32324 Use Variance	Margery Mullet Property Owner Request to occupy the premises as a 3 unit multi-family dwelling.	2841 N. Frederick Av. A/K/A 2843 N. Frederick Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	32404 Special Use	Murad Hamdan Lessee Request to continue occupying the premises as a fast-food / carry-out restaurant with a drive-through facility.	1801 E. North Av. A/K/A 1801 E. Kenilworth Av. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 7. That the applicant does not have outdoor storage or display of products or merchandise. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	32456 Use Variance	Lea Byrd-Peterson Johnisha Moore; Lessee Request to continue occupying the premises as a personal service facility.	3106 W. Vliet St. A/K/A 3104 W. Vliet St. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business - B occupancies and complies with all zoning conditions and building code requirements.</p> <p>7. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	
23	32469 Dimensional Variance	Marquette University High School Kristine Schulz; Property Owner Request to install pole-mounted athletic field lighting that exceeds the maximum allowed light levels and glare.	3401 W. Wisconsin Av. A/K/A 3320 W. Michigan St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	32445 Special Use	Ikon Investments LLC Property Owner Request to continue occupying the premises as a motor vehicle filling station. Action: Granted 10 yrs. Motion: Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez. Vote: 3 Ayes, 0 Nays, 1 H. Szymanski Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 6. That landscaping and screening is maintained in a manner that meets the intent of city code. 7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 8. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That the applicant take any measures necessary to prohibit vehicles from exiting the property by using the abandoned driveway located on the Northeast corner of the property. This driveway does not lead to a curb cut and thus is not a legal exit from the property. 12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	7605 W. Lisbon Av. 5th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	32418 Special Use	Milwaukee Health Services, Inc. Property Owner Request to continue occupying the premises as a parking lot.	2523 N. Martin L King Jr Dr. A/K/A 2535 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	32455 Special Use	Anthony J Miller Lessee	632 E. Center St. 6th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That no work or storage of vehicles occurs in the street right of way. 7. That no vehicles that are for sale are stored in the street right of way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That all repair work is conducted inside the building. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	32463 Special Use	Dr. Luis A. Baez, PhD. Property Owner Request to continue occupying the premises as a community center (permitted school on site).	243 E. Center St. A/K/A 2669 N. Richards St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
28	32454 Dimensional Variance	Popeye's Restaurant Property Owner Request to erect a freestanding sign that exceeds the maximum allowed area (allowed 32 sq.ft. / proposed 50 sq.ft.).	207 E. Capitol Dr. A/K/A 201 E. Capitol Dr. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	32447 Special Use	Ajit Singh Property Owner	1909 W. Hopkins St. 6th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That Landscaping and screening is implemented and maintained in accordance with the landscape plan approved on November 10, 2006.</p> <p>5. That the petitioner shall be responsible for continuous landscape maintenance including plant material replacement on a seasonal basis if such material is no longer comparable in size to the plant list specification, and inconsistent with the typical form/shape of that species because of dieback, stunting or damage.</p> <p>6. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises.</p> <p>8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>9. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>10. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>11. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>13. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	32378 Special Use/ Dimensional Variance	Jon E. Krohn Jet Intermodal & Jet Repair Services;Prospective Buyer Request to construct a heavy motor vehicle repair and outdoor storage facility that does not meet the minimum required landscaping.	1125 W. Waterford Av. A/K/A 1107 W. Waterford Av. 13th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening in accordance to the plan submitted to the Board on March 26, 2013 is installed within 90 days of occupancy and is maintained in a manner that meets the intent of city code.</p> <p>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>6. That this Dimensional Variance is granted to run with the land.</p> <p>7. That these Special Uses are granted for a period of fifteen (15) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	32387 Special Use	Christine M Clark Lessee Request to increase the number of children from 39 to 46 per shift and to increase the hours of operation from Monday - Friday 6:30 a.m. - 5:30 p.m. to Monday - Sunday 6:00 a.m. - midnight and to continue occupying the premises as a day care center for children infant to 13 years of age (this is a new operator).	2972 N. 49th St. A/K/A 2974 N. 49th St. 7th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	--	
32	32439 Special Use	NU2U Appliances Lessee Request to occupy a portion of the premises as a second-hand sales facility.	5017 W. Capitol Dr. A/K/A 5007 W. Fond Du Lac Av. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	32390 Special Use	Nahida Assad Property Owner Request to continue occupying the premises as a general retail establishment (this is a new operator).	2108 S. 25th St. A/K/A 2108 A S. 25th St. 1 8th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises.</p> <p>6. That the westernmost storefront window on the Becher St facade and the northernmost storefront window on the S. 25th St facade are restored to transparent glass in accordance with the glazing standards of s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>7. That the projecting sign be installed in accordance with the plans submitted to the Board and that no additional signage may be erected on the site unless it meets the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</p> <p>8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	32399 Use Variance	Longino Hernandez Property Owner	3910 W. Orchard St. 8th Dist.
		Request to occupy the premises as a motor vehicle repair facility and body shop.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</p> <p>5. That landscaping and/or opaque fencing be retained along the west property line to screen the premises from the west-abutting residence.</p> <p>6. That no work on or storage of vehicles occurs in the public right-of-way.</p> <p>7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</p> <p>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>9. That all repair work is conducted inside the building.</p> <p>10. That all motor vehicle body work is performed inside the building with the doors closed. All vehicle painting must comply with requirements chapter 236 of the Milwaukee Code of Ordinances and no painting may be performed until a spray booth is installed under permit, inspected and approved.</p> <p>11. That these Variances are granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	32428 Special Use	Chrepohu Yachrechohn Prospective Buyer Request to occupy a portion of the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	2337 W. Greenfield Av. 1 A/K/A 1408 S. 24th St. 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That the first floor windows along the building's W. Greenfield Ave facade remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 8. That a loading zone permit is obtained along S. 24th Street. 9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. That the facility does not exceed a capacity of 50 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 50 children. 11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	32449 Special Use	United Auto Sales d/b/a United Auto Sound and Glass; Lessee Request to occupy the premises as a motor vehicle sales and repair facility (including installation of car stereo and glass).	2007 W. National Av. 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That any testing of audio equipment and alarm systems be conducted at minimum amplification and with the overhead garage doors closed. 6. That the landscape plan submitted to the Board on April 10, 2013 be upgraded to include the species of shrubs that will be planted in the planter boxes. 7. That landscaping is implemented and maintained in a manner that meets the intent of city code. 8. That no work or storage of vehicles occurs in the street right of way. 9. That no vehicles that are for sale are stored in the street right of way. 10. That vehicles on site do not block driveways. 11. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 13. That all repair work is conducted inside the building. 14. That the applicant obtain a Waste Tire Generator License from the Department of Neighborhood Services. 15. That the applicant submit a scaled and dimensional site plan showing the number and location of sales vehicles. 16. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services. 17. That these Special Uses are granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	32460 Dimensional Variance	Rigoberto Sanchez Salvador Sanchez; Property Owner Request to divide the existing lot and to allow a new lot that does not meet the minimum required south side setback (required 3.5 ft. / proposed 2.8 ft.). Action: Adjourned Motion: This matter has been adjourned at the request of staff and will be rescheduled for the next available hearing. Vote: -- Conditions of Approval: --	1336 S. 26th St. A/K/A 2536 W. Greenfield Av. 8th Dist.
38	32479 Dimensional Variance	McDonald's Corporation Lessee Request to allow a freestanding pylon sign that exceeds the maximum allowed sign area (allowed 75 sq.ft. / proposed 213 sq.ft.). Action: Granted Motion: Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez. Vote: 3 Ayes, 0 Nays, 1 H. Szymanski Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land. 	8100 W. Brown Deer Rd. 9th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	32477 Use Variance	Kevin Dabney Lessee Request to occupy a portion of the premises as a currency exchange, payday loan and installment loan facility.	6404 N. 76th St. A/K/A 6400 N. 76th St. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business B occupancies and complies with all zoning conditions and building code requirements.</p> <p>7. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	
40	32448 Use Variance	Ali Omar Ismail Lessee Request to occupy a portion of the premises as a cash-for-gold business.	923 S. Cesar E Chavez Dr. 12th Dist.
	Action:	Adjourned	
	Motion:	Jose Dominguez moved to adjourn the appeal. Seconded by Martin Kohler.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	32446 Special Use	Jose L Hernandez-Triano Lessee Request to continue occupying the premises as a motor vehicle sales facility and body shop (this is a new operator).	4030 S. Pine Av. A/K/A 4030 S. Pine St. 14th Dist.
	Action:	Adjourned	
	Motion:	Jose Dominguez moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	32372 Special Use	Anthony Sephus Quick Sale LLC; Property Owner	2405 W. Center St. A/K/A 2407 W. Center St. 15th Dist.
		Request to occupy the premises as a fast-food / carry-out restaurant.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That the storefront windows are restored to transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 7. That the unused driveway on West Center Street is closed and restored with curb & gutter and sidewalk. 8. That the petitioner submits plans prepared by an architect for the conversion of this building, obtains all required permits and obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	32426 Special Use	N.O.S. Motorsports Club Alea Benston; Lessee Request to occupy a portion of the premises as an assembly hall.	2342 W. North Av. A/K/A 2100 W. North Av. 15th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	--	
44	32450 Use Variance	Stanley Terry Lessee Request to occupy the premises as a transitional living facility for 10 occupants.	2876 N. 40th St. A/K/A 2878 N. 40th St. 15th Dist.
	Action:	Adjourned	
	Motion:	Jose Dominguez moved to adjourn the appeal. Seconded by Martin Kohler.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	--	
45	32344 Special Use	Project Refuge Inc. Keith Jagow; Lessee Request to occupy a portion of the premises as a health clinic.	6123 N. Teutonia Av. A/K/A 6071 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	32375 Dimensional Variance	Eric Halverson Property Owner Request to construct a porch that exceeds the maximum allowed side setback (allowed 3 ft. / proposed 4 ft.).	3339 N. Dousman St. 3rd Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance was approved to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	32383 Special Use/ Dimensional Variance	<p>Renee E. Anderson Saint John's Communities, Inc.; Property Owner</p> <p>Request to occupy the premises as a community living arrangement for 24 occupants (the applicant will be remodeling the interior and expanding the existing CLA from 20 to 24 occupants) and to allow a fence that exceeds the maximum allowed height (allowed 6 ft. / proposed 8 ft.).</p>	1840 N. Prospect Av. A/K/A 1840 N. Prospect Av. 1021 4th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use and this Variance are granted to run with the land.</p>	
48	32393 Dimensional Variance	<p>Lloyd Waters Jr Property Owner</p> <p>Request to add a changeable message sign to the existing sign that exceeds the maximum allowed display area (allowed 32 sq.ft. / proposed 134 sq.ft.).</p>	9119 W. Burleigh St. 5th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	32122 Special Use	Freddie Jones Lessee Request to continue occupying the premises as an outdoor storage facility.	3408 N. Port Washington Av. A/K/A 3410 N. Port Washington Av. A 6th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	--	
50	32430 Special Use	James Bultynck Richard Feest; Lessee Request to occupy the premises as an assembly hall.	3865 N. Richards St. A/K/A 3867 N. Richards St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	32376 Special Use	Recycling Solutions LLC Lessee Request to occupy the premises as a mixed-waste processing facility.	2929 S. Chase Av. A/K/A 148 W. Dewey Pl. 14th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	3 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Factory - F 1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

Other Business:

Board member Donald Jackson moved to approve the minutes of the May 16, 2013 meeting. Seconded by Board member Martin E. Kohler. Unanimously approved.

The Board set the next meeting for June 6, 2013.

Board member Martin E. Kohler moved to adjourn the meeting at 7:43 p.m.. Seconded by Board member Jose L. Dominguez, Jr. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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